

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**ROBERT N. GOLDSTEIN,
GOLDSTEIN/HABEEB
ENTERTAINMENT, INC., and
CHEATERS, LTD.,
Plaintiffs**

vs.

**TOMMY HABEEB,
Defendant.**

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2003
U.S. DISTRICT COURT
DALLAS, TEXAS
CAUSE NO. 03-CV-0266N

3:03cv266N

**DEFENDANT'S UNOPPOSED MOTION FOR LEAVE TO EXTEND DEADLINE TO RESPOND TO
ROBERT N. GOLDSTEIN'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Defendant Tommy Habeeb ("Defendant"), by its undersigned attorneys, hereby moves (the "Motion") for leave to extend the deadline to respond to Plaintiff Robert J. Goldstein's Motion For Partial Summary Judgment of twenty-one (21) days. In support of this Motion, Defendant respectfully represents as follows:

1. On or about October 6, 2003, Plaintiff Robert N. Goldstein filed his Robert N. Goldstein's Motion For Partial Summary Judgment.
2. Pursuant to Local Rule 7.1 of the Local Rules of The United States District Court for the Northern District of Texas, the deadline for Defendant to respond to Robert N. Goldstein's Motion For Partial Summary Judgment is October 27, 2003.
3. By this Motion, Defendant requests that the Court extend the deadline for Defendant to respond to Robert N. Goldstein's Motion For Partial Summary Judgment by twenty-one (21) days from the date of October 27, 2003.

4. Andrew A. Bergman, counsel for Defendant, has conferred with Timothy W. Sorenson, counsel for Plaintiff Robert N. Goldstein, who agrees with the relief requested in this Motion.

Request for Relief

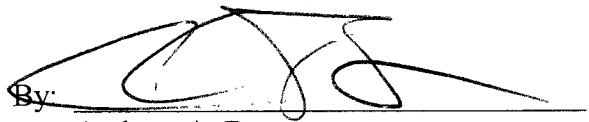
5. By this Motion, Defendant seeks entry of an order substantially in the form annexed hereto (i) extending the date for his deadline to respond to Robert N. Goldstein's Motion For Partial Summary Judgment twenty-one (21) days from the date of October 27, 2003.

Conclusion

WHEREFORE, Defendant respectfully requests entry of an Order of this Court substantially in the form annexed hereto (i) extending the date for the deadline to respond to the Motion for Partial Summary Judgment of twenty-one (21) days, and (ii) granting Defendant such other and further relief as this Court deems just and proper.

Respectfully submitted,


BERGMAN & BIRD, L.L.P.

By: 

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

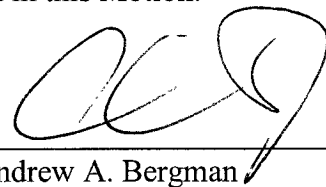
This will certify that a true and correct copy of the foregoing Defendant's Motion For Leave To Extend Deadline To Respond To Robert N. Goldstein's Motion For Partial Summary Judgment was served upon Timothy W. Sorenson, 1717 Main Street, Suite 4050, LB #39, Dallas, Texas 75201 in accordance with Rule 5 of the Federal Rules of Civil Procedure on this 27th day of October, 2003.



Andrew A. Bergman

CERTIFICATE OF CONFERENCE

On October 27, 2003, I spoke with Timothy W. Sorenson, counsel for Plaintiff Robert N. Goldstein, who agreed with the relief requested in this Motion.



Andrew A. Bergman